

Ignition Interlock Devices and Vehicle Immobilization:

**A Summary of the Law and Science, a Review of the Literature,
and an Analysis with Legal Professionals, Law Enforcement and
Alcohol Assessment Agencies in Wisconsin**

Final Report Summarizing Phase I and Phase II

Prepared For:

Wisconsin State Legislature

By:

**Adam D. Jacobs,
WISCONSIN DEPARTMENT OF TRANSPORTATION
BUREAU OF TRANSPORTATION SAFETY in
Conjunction with the WISCONSIN DEPARTMENT OF
HEALTH AND FAMILY SERVICES**

December 26, 2003



Wisconsin Department of Transportation

www.dot.wisconsin.gov

Jim Doyle
Governor

Frank J. Busalacchi
Secretary

Office of the Secretary
4802 Sheboygan Ave.
P O Box 7910
Madison, WI 53707-7910

Telephone: 608-266-1113
FAX: 608-266-9912
E-mail: sec.exec@dot.state.wi.us

December 26, 2003

Dear Wisconsin State Legislators,

We are pleased to submit the results of our joint study evaluating the effectiveness of Ignition Interlock Devices (IIDs) and other vehicle sanctions including vehicle immobilization.

The Department of Transportation, Bureau of Transportation Safety, in conjunction with the Department of Health and Family Services, worked with representatives of law enforcement, the legal community, and alcohol assessment agencies to provide a comprehensive review of IIDs and vehicle immobilization.

The study involved extensive dialogue with legal professionals, law enforcement professionals and local, alcohol assessment agencies, and IID vendors; a review of existing literature, and an analysis including opinions on the use of IIDs and other vehicle sanctions. The final report includes the study findings regarding legal and technical aspects of IIDs and vehicle immobilization, their effectiveness, implementation and legislative considerations for Wisconsin.

Each study participant gave their time, commitment and expertise to the process, and they are to be commended. Thank you for providing the Wisconsin Department of Transportation and the Department of Health and Family Services with the opportunity to conduct this evaluation. Questions regarding the study should be directed to Tim McClain, Wisconsin Department of Transportation, Bureau of Transportation Safety at (608) 267-5136.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank J. Busalacchi".

Frank J. Busalacchi
Secretary
Wisconsin Department of Transportation

A handwritten signature in black ink, appearing to read "Helene Nelson".

Helene Nelson
Secretary
Wisconsin Department of Health and Family Services

CC: Governor Jim Doyle

Primary Conclusions

The following, primary conclusions have been identified by the Wisconsin Department of Transportation and Wisconsin Department of Health and Family Services based upon the findings found within this report (note that these are not listed in any priority):

- **Follow-thru/accountability problems with implementing the IID law.** As indicated in this report, program success is dependent upon follow-through, communication and coordination by the agencies and courts involved (e.g., law enforcement, alcohol assessment agencies, judges who initiate the order). It is evident by the large disparity between the number of court orders and those that are actually complied with that implementation is simply not occurring. This is strongly correlated to funding and resource constraints that have inhibited implementation of the IID program.
- **Conflicts with federal, 12-month suspension rule.** The federal rule included under the Transportation Equity Act, requiring a 12-month hard suspension of an operator's driving privilege after conviction and before an ignition interlock device can be installed, severely impedes the State's IID Law. The optimum time to implement an IID is immediately after conviction. Due to the federal, 12-month suspension rule, a person must wait at least a year after conviction before an IID can be installed.
- **Cost problems.** As indicated in this report, the cost borne by the offender to install the IID (approximately \$1,000 per year), is perceived by many professionals - legal professionals, law enforcement, alcohol assessment agencies surveyed in this report - to be a major impediment to compliance in order to ensure success of the program.

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